

Notice of Allowability	Application No.	Applicant(s)	
	09/759,016	PARKS ET AL.	
	Examiner	Art Unit	
	Jonathan Ouellette	3629	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 6/29/2006.
2. ☒ The allowed claim(s) is/are 1-3 and 5-19.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|---|---|
| <ol style="list-style-type: none"> 1. <input type="checkbox"/> Notice of References Cited (PTO-892) 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) 3. <input type="checkbox"/> Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date _____ 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | <ol style="list-style-type: none"> 5. <input type="checkbox"/> Notice of Informal Patent Application 6. <input checked="" type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date <u>20060911</u> . 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance 9. <input type="checkbox"/> Other _____. |
|---|---|

DETAILED ACTION

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.
2. Authorization for this examiner's amendment was given in a telephone interview (9) with Clyde Christofferson (Reg. No. 34,138) on 9/11/2006 (See Attached Examiner Interview Summary – 200609011).
3. The application has been amended as follows:
4. **Claim 4 - CANCELLED.**

Response to Amendment

5. Claim 4 has been cancelled by Examiner's Amendment, and Claims 8-19 have been added; therefore, Claims 1-3 and 5-19 are currently pending in application 09/759,016.

Claim Rejections - 35 USC § 112

6. The rejections of Claims 1, 4, and 5 under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention, are withdrawn due to Applicant's amendments.

Claim Rejections - 35 USC § 103

7. The rejections of Claims 1-7 under 35 U.S.C. 103(a) as being unpatentable over Dietz et al. (US 6,408,337 B1) are withdrawn due to Applicant's amendments.

Allowable Subject Matter

8. Claims 1-3 and 5-19 are allowed.

9. The following is an examiner's statement of reasons for allowance:
10. As per **independent Claims 1, 5, and 8**, the prior art does not teach or suggest a (Web-based, computer system, method) Skills Matching Application (SMA) comprising: means for the SMA to identify contracted suppliers for each of said technical skills needed to perform said services request and to assign a priority to the identified suppliers based on said technical skills; and means for notifying the identified contracted suppliers in sequence based upon said SMA assigned priority that said services request has been entered into the SMA application.
11. **Dietz et al. (US 6,408,337 B1)** discloses a (Web-based, computer system, method) Skills Matching Application (SMA) comprising: means for invoking the SMA (Database system/files/forms) from a Requisition/Catalog application (Listing of database system files); means for a user to enter a services request into the SMA, the services request further comprising a Statement of Work (SOW); means for the SMA to identify contracted suppliers (C8 L27-38); means for said suppliers to retrieve and review said services request using the SMA application (C5 L25-46, receive email and open attached

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file containing detailed non-employee needs); means for receiving from a supplier a submission identifying a candidate or candidates having the technical skills required to perform said services request (C2 L34-39, vendor supplier manager with listing of all qualified and available non-employee workers; C9 L5-17, detailed non-employer information could be provided by supplier); means for displaying for the user the response submitted by said supplier (C2 L34-52, C5 L25-46, manager receives and reviews vendor/supplier e-mailed listing of all qualified and available non-employee workers).

12. Dietz fails to expressly disclose means for prompting a user through a series of screens to enter a Statement of Work (SOW) and complete a skills detail checklist for each of the technical skills requested.
13. However, Dietz does disclose the ability of the Manager to create a Work Assignment (C6 L6-24) and an electronic request to the vendor for a non-employee worker (C8 L55-63). Wherein the request specifies a job category, a job description, a number of skills that are required of the non-employee worker to fill a particular position, a rate range, etc (C8 L55-63). The request can also include Exception fields for specifying the reasons why certain standards are not followed (C8 L55-63), which suggest that the prior information is also entered as *fields* in an electronic document to be sent to the supplier/vendor by e-mail.
14. Furthermore, the system described by Dietz is a networked based system, wherein communication between Managers/Users, Vendors/Suppliers, and Approvers/Upper Management are all handled electronically over the network (LAN, WAN, Internet are all

described networked formats that are easily convertible). Dietz also describes the ability of the Vendors to have controlled/limited access to the information in the networked-based managers/employers database (C5 L23-35, Fig.2, Claim 22), wherein a Manager can communicate with Vendor through e-mail and/or *shared access to networked system* – which contains the requisition/database system. Finally, Dietz describes a method, wherein the Manager notifies an Approver of a Work Assignment stored by e-mail - so the Approver can access the stored file through the network and approve the Work assignment (C6 L34-38).

15. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to notify the Vendors in the same way, when a request or work assignment was in the database (instead of e-mailing them directly with the file attached), for the purpose of maintaining centralized control of the information – in case of in-process request changes or information security problems.
16. Dietz fails to expressly disclose notifying the supplier that a new request has been entered into the SMA application.
17. However, Dietz does disclose emailing the supplier with a request for a non-worker employer with detailed requirements included, and this could broadly be considered as a “notification” that a request has been entered into the SMA system (Networked database system), thus the reason they (the suppliers) are receiving the request.
18. Finally, Dietz fails to teach or disclose means for the SMA to identify contracted suppliers for each of said technical skills needed to perform said services request and to assign a priority to the identified suppliers based on said technical skills; and means for

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notifying the identified contracted suppliers in sequence based upon said SMA assigned priority that said services request has been entered into the SMA application.

19. The remaining dependent Claims 2, 3, 6, 7, 9-19 are considered allowable, as they are dependent on an allowable independent claim.

20. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

21. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jonathan Ouellette whose telephone number is (571) 272-6807. The examiner can normally be reached on Monday through Thursday, 8am - 5:00pm.

22. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Weiss can be reached on (571) 272-6812. The fax phone numbers for the organization where this application or proceeding is assigned (571) 273-8300 for all official communications.

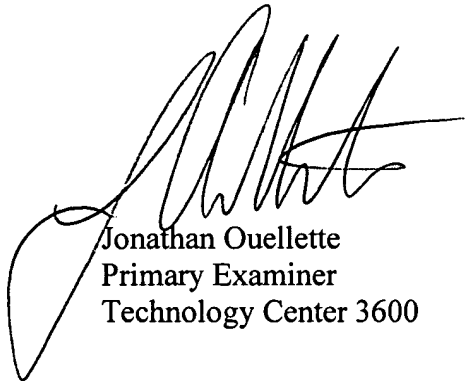
23. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Office of Initial Patent Examination whose telephone number is (703) 308-1202.

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September 15, 2006



Jonathan Ouellette
Primary Examiner
Technology Center 3600